

Appln No. 10/602,796
Amdt date March 12, 2008
Reply to Office action of December 13, 2007

REMARKS/ARGUMENTS

The above amendments and these remarks are responsive to the Office action mailed on December 13, 2007. Claims 6, 10, 11, 19, 31, 32 and 35 have been amended. Claims 29, 30, 36 and 37 have been cancelled. Claims 38-42 have been added and are directed to subject matter disclosed in the application as originally filed. No new matter has been added. Claims 6-15, 19, 31-35 and 38-42 are now pending in this application. Reconsideration on the basis of the amendments and remarks below is kindly requested.

Firstly, the undersigned wishes to thank the Examiner for the telephonic interview of February 20, 2008 where the claims and the prior art were discussed.

The Examiner rejected claims 6-15, 19, 29 and 30 under 35 U.S.C. §103(a) as being unpatentable over Aschenbeck, U.S. Patent No. 4,693,357 in view of Pepiciello, further in view of Wenner, U.S. Patent No. 4,591,042 and further in view of Dobbins, U.S. Patent No. 6,929,110. Claim 6 is directed to a coin mechanism for a vending machine and requires a support member and a channel member movably connected to the support member "wherein the channel member moves relative to the support member between a first and a second position, wherein a portion of said channel member is in contact with a portion of said support member when in the first position and is spaced apart from said portion of said support member when in the second position . . .". The claim also requires that "wherein the channel member defines a first surface of the slot and wherein the support member defines a second surface of the slot opposite the first surface . . .". Aschenbeck, in FIGS. 3 and 4, discloses what appears to be two slots which move relative to each other. Aschenbeck does not appear to disclose a slot whose walls are moveable relative to each other as required by claim 6. This feature also does not appear to be disclosed in Pepiciello, Wenner or Dobbins. In addition, claim 6 also requires that a product support member is connected to the channel member. Aschenbeck does not appear to disclose a product support member that is connected to the alleged channel member as required by claim 6. Pepiciello,

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Wenner nor Dobbins also do not appear to disclose this feature. As such, Applicant submits that claim 6 cannot be rendered obvious by Aschenbeck, in view of Pepiciello, Wenner and Dobbins for either of the aforementioned reasons. Claims 7-15 are directly or indirectly dependent from claim 6. As such, Applicant submits that claims 7-15 are also not rendered obvious by these references for the same reasons as claim 6 and for the additional limitations that these claims contain therein.

Claim 19 is directed to a coin mechanism for a vending machine and also requires a channel member rotatably connected to a support member where the channel member is configured to be in contact with the support member and to displace relative to the support member. The claim also requires a product support member removably attached to the channel member and that the product support member is "displaced upon displacement of the channel member relative to the support member. . . allowing the selected product to be dispensed . . . ". Aschenbeck does not disclose a channel member which is rotatably connected to a support member defining a slot when the channel member is in contact with the support member and a product support member which is removably attached to the channel member and which displaces upon displacement of the channel member relative to the support member. In Aschenbeck, two channel members appear to be pivotable relative to each other. Aschenbeck does not disclose two members which together define a slot as required by the claim, nor does Aschenbeck appear to disclose a product support member which is releasably connected to the alleged channel member and which is displaced upon displacement of such channel member from a support member. Pepiciello, Wenner and Dobbins also do not appear to disclose this feature. As such, Applicant submits that claim 19 is also not rendered obvious over Aschenbeck, in view of Pepiciello, Wenner and Dobbins for this reason.

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The Examiner rejected claims 29, 30 and 35-37 under 35 U.S.C. § 103(a) as being unpatentable over Henry, U.S. Patent No. 2,348,434 in view of Glaser, U.S. Patent No. 5,915,519 and further in view of Flicken, U.S. Patent No. 4,823,984. Claims 32 and 35 require a first plate comprising an opening and a second plate pivotably coupled to the first plate wherein the first and second plates pivot relative to each other between a first position and a second position, wherein in the first position, a slot is formed between the first and second plates. The claims also require an actuator comprising a portion penetrating the opening and extending in the slot for pivoting the second plate relative to the first plate to the second position. Glaser discloses what appears to be an actuator (62). However, the actuator is used to dislodge a coin, not to exert a force for moving a second plate relative to the first plate. In Glaser, a plate (24) moves by gravity when a shelf (70) is lowered shown in FIG. 4. Glaser or Henry does not disclose a second plate that is pivoted relative to a first plate by an actuator exerting a force against a coin. Flicken also does not appear to disclose this feature. Thus, the combination of Henry, Glaser and Flicken cannot render claims 32 nor 35 obvious.

Claims 33, 34 and 38-40 are dependent on claim 32, and claims 41 and 42 are dependent from claim 35. Applicant submits that these claims are also allowable over Henry in view of Glaser and further in view of Flicken for the same reasons as the claims from which they depend from and for the additional limitations they contain therein. For example, claims 39 and 42 require that the mechanism includes a product support number which is displaced by the second plate when the second plate is in the second position for dispensing a product of the vending machine. Glaser does not appear to disclose a product support member which is displaced by its moveable plate, as for example plate 24, when that plate is in a second position. Glaser and Flicken also do not appear to disclose this feature. As such, Applicant submits that claims 39 and 42 are also allowable over these references for this additional reason.

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The rejections to all claims pending in this application are believed to have been overcome and this application is now believed to be in condition for allowance. Should the Examiner have any remaining questions or concerns about the allowability of this application, the Examiner is kindly requested to call the undersigned attorney to discuss them.

Respectfully submitted,
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